

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 THE BANK OF NEW YORK MELLON,

4 Plaintiff

5 v.

6 THE FOOTHILLS AT MACDONALD
7 RANCH MASTER ASSOCIATION, et al.,

8 Defendants

Case No.: 2:17-cv-01195-APG-BNW

**Order (1) Granting Motion for Judgment
on the Pleadings and (2) Setting Deadline
to File Joint Proposed Pretrial Order**

[ECF No. 163]

9 I granted counter-defendant Quality Loan Service Corporation's motion for judgment on
10 the pleadings because counterclaimant SFR Investments Pool 1, LLC had not plausibly alleged
11 that Quality violated Nevada Revised Statutes § 107.028. ECF No. 179. However, I granted SFR
12 leave to file an amended counterclaim by July 10, 2020. *Id.* SFR did not file an amended
13 counterclaim by that date. I therefore now grant Quality's motion with prejudice.

14 I THEREFORE ORDER that counter-defendant Quality Loan Service Corporation's
15 motion for judgment on the pleadings **(ECF No. 163) is GRANTED with prejudice.**

16 I FURTHER ORDER the parties to file a joint proposed pretrial order on the only
17 remaining claim, counterclaimant SFR Investment Pool 1, LLC's counterclaim against
18 counterdefendant The Bank of New York Mellon, by September 21, 2020. The failure to file the
19 proposed pretrial order by that date will result in dismissal of the counterclaim and closure of this
20 case.

21 DATED this 19th day of August, 2020.

22 

23 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE